

BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION**  
 WASHINGTON, D.C. 20554

RECEIVED

JUL 15 2002

In re Matter of )  
 )  
 AMENDMENT TO SECTION 73.202 )  
 FM TABLE OF ALLOTMENTS )  
 TO ALLOT FM CHANNEL 265A AT )  
 WYNNEWOOD, OKLAHOMA )

FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY

MB Docket No. 02-126  
 RM-10448

To: Assistant Chief, Audio Services Division

**COUNTERPROPOSAL**

DFWU, Inc., the licensee of KFXI(FM), Marlow, Oklahoma, and KIXO(FM), Sulphur, Oklahoma, hereby respectfully submits this counterproposal in the above-captioned proceeding.

DFWU, Inc. proposes that the FM Table of Allotments in Section 73.202 of the rules be modified as follows:

Present:

<u>City</u>	<u>State</u>	<u>Channel</u>
Konawa	Oklahoma	-----

Proposed:

Konawa	Oklahoma	265A
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In support of this proposal, the following is respectfully submitted for the consideration of the Commission.

1. Konawa, Oklahoma, is in Seminole County, Oklahoma. It is a census-designated place with a population of 1,508 persons based on the 1990 census data. Konawa has all of the traditional elements of a incorporated city in the State of Oklahoma, including schools, offices for local government, a public library, recreational facilities, and numerous local businesses and

civic organizations. See Exhibit 1 hereto. Konawa lacks a local broadcast station, and the proposed use of FM channel 265A at Konawa will bring a first local aural service to that community.

2. DFWU, Inc. proposes the allocation of FM channel 265A to Konawa, Oklahoma. Attached hereto as Exhibit 2 is an engineering study showing that FM channel 265A can be allocated to Konawa using a site restriction 7.07 kilometers northeast of Konawa at geographic coordinates North 35-02-08, West 96-40-28. The study shows that a station using this location will place a city grade signal over Konawa.

3. In the event that the channel is assigned to Konawa, DFWU, Inc. will file an application for the use of that channel in that community and will build and operate an FM station on that channel in the event its application is approved by the Commission.

WHEREFORE, DFWU, Inc. respectfully requests that the FM Table of Allotments be modified as follows:

<u>City</u>	<u>State</u>	<u>Channel</u>
Konawa	Oklahoma	265A

Respectfully submitted,  
DFWU, Inc.

By: 

Jeffrey D. Southmayd

Its Attorney

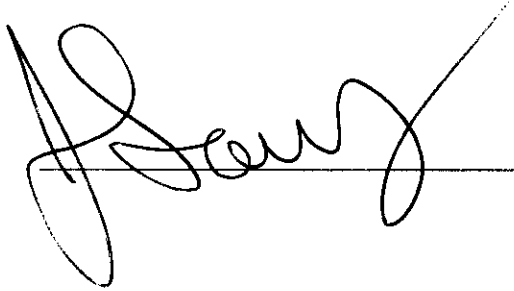
Southmayd & Miller  
1220 19<sup>th</sup> Street, N.W.  
Suite 400  
Washington, D.C. 20036  
(202) 331-4100

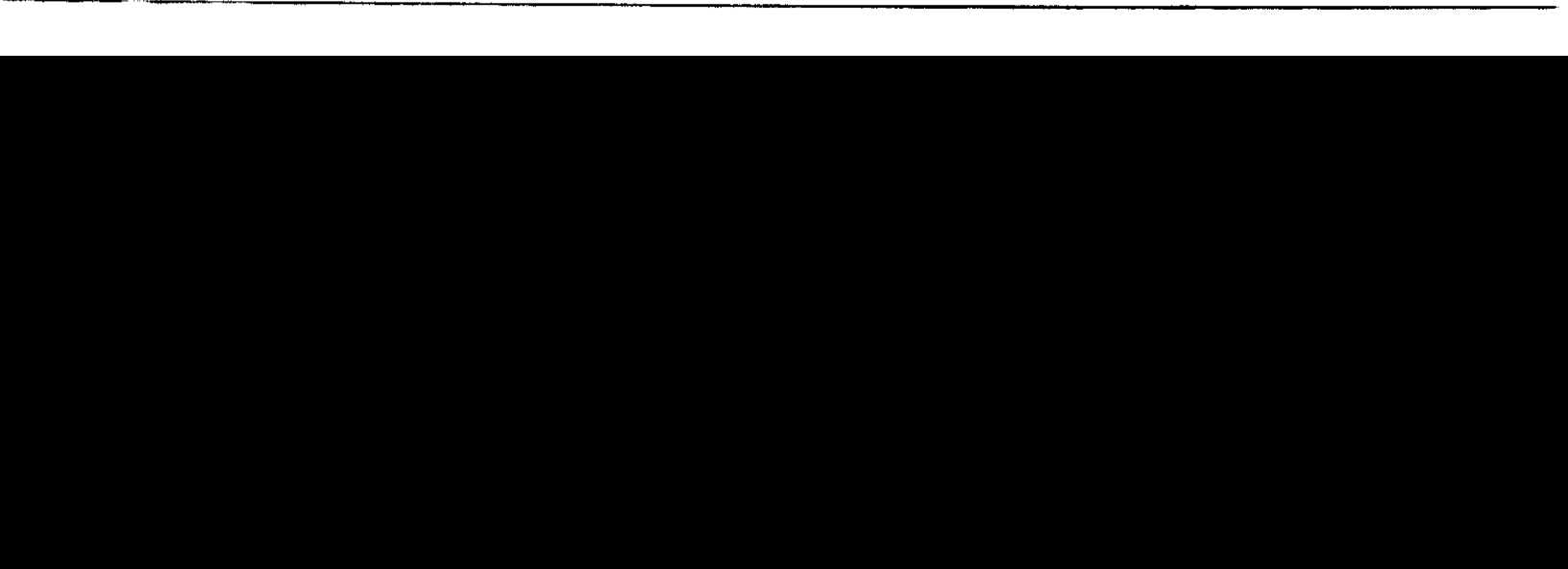
Date: July 15, 2002

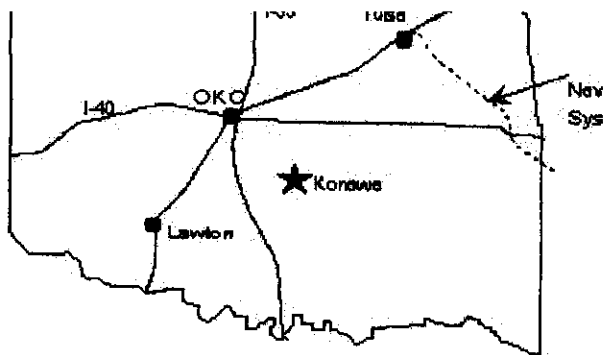
CERTIFICATE OF SERVICE

I, Jeffrey D. Southmayd, do hereby certify that copies of the foregoing have been sent on this 15<sup>th</sup> day of July, 2002, by first class United States mail, postage pre-paid, to the following:

David P. Garland  
1110 Hackney Street  
Houston, Texas 77023

A handwritten signature in black ink, appearing to read "Jeffrey D. Southmayd", is written over a horizontal line.





**City: Konawa**  
**County: Seminole**

**Population**

Data from the 2000 population census place the Konawa population at 1,479. 5.9% of the population of Seminole County resides in Konawa.

Area	1970	1980	1990	2000
City	1,719	1,711	1,508	1,479
County	25,144	27,465	25,412	24,894
30 Mile Radius	N/A	N/A	142,500	151,300

**Percent Distributions of the Population by Race--2000**

In Konawa, 70.1% of the population is White, 1.9% is Black, 20.9% is Native American and the remaining 5.1% is comprised of all other races.

**Labor Force**

The Seminole County labor force was 10,302 in 2000. Participation rate in the county labor force constitutes 62.14% of males and 42.45% of females. (\*See footnote on the last page for more info on labor.)

City Labor Force Factor	Male	Female	Total
Civilian Labor Force (1990)	266	211	477
Employed (1990)	228	188	416
Unemployed persons within 30 miles (2000)	1,380	1,140	2,520

**Climate**

The average January temperature in Konawa is 47 degrees Fahrenheit with a July temperature average of 80 degrees. The area receives an average of 36 inches of rain annually and 6 inches of snow. The average number of flying days is 337.

**General Government**

Konawa has a Municipal-Charter type of government. There is a comprehensive city plan and zoning. The city provides garbage service.

**Public Safety**

Konawa has 19 volunteer fire personnel and 10 full-time police officers. The city's fire insurance has an 8 classification and the adjacent area has an 8 classification.

**Utility Providers**

Utility services are provided primarily by the following carriers:

### ***Places of Worship***

Five Protestant churches and one Catholic church are located in Konawa.

### ***Media***

Konawa has one weekly newspaper and cable television.

### ***Tax Structure***

Konawa's property tax rate is \$87.59 per \$1,000 assessed value for the year 2000. The fractional assessment percentage for real property is 12.00% and for personal property, 12.00%. The property tax is distributed as follows:

<u>City</u>	<u>County</u>	<u>School</u>	<u>Other</u>	<u>Total</u>
\$21.90	\$17.23	\$48.46	\$0.00	\$87.59

### ***Bond Indebtedness***

<u>School</u>	<u>City</u>	<u>County</u>
\$1,685,000	\$290,000	\$0

### ***Sales Taxes***

The city has a sales tax rate of 4.0%. In addition, the state levies a 4.5% tax rate on sales. Seminole County levies no sales tax.

### ***Commercial Services***

From the city the nearest machine shop, tool and die services, or electric and motor repair services are 16 miles.

### ***Educational Resources***

Konawa has 3 primary and secondary schools with approximately 760 students and 60 teachers.

<u>Type</u>	<u>Grades</u>	<u>Facilities</u>	<u>Enrollment</u>	<u>Teachers</u>
Public	K-6	1	390	26
Public	7-9	1	187	18
Public	10-12	1	189	12
Total		3	766	56

Located near to Konawa residents are three excellent colleges: East Central University and Oklahoma Baptist University offer 4-year programs, and Seminole State College is a two-year school. Two of the area's finest vocational schools nearby are Gordon Cooper Technology Center and Pontotoc Technology Center.

There is a public library in Konawa.

### ***Telecommunications***

Telecommunication information for Konawa is not available.

### ***Medical Facilities and Medical Practitioners***

There is one medical clinic in Konawa. There is one nursing home with 208 beds. The nearest hospital to Konawa is 15 miles.

### ***Financial Institutions***

Konawa has two banks with assets totaling \$936,672,000.

of general obligation bonds. The loans are established at 300 basis points over cost. In a first mortgage position the loan can be up to \$1.25 million. Many Oklahoma counties have voted approval of General Obligation Limited-Tax Bonds for economic development. The amount of bonds the counties can issue is limited to no more than could be retired by a special tax levy of 5 mills. The proceeds of the bonds are generally used to acquire or build a facility associated with the development project. Lease income from the facility is used to amortize the bonds.

**Recreational Facilities**

The citizens of Konawa have access to a number of recreational facilities.

<u>Parks</u>	<u>Tennis</u>	<u>Country</u>	<u>Swimming</u>	<u>Golf</u>
	<u>Courts</u>	<u>Clubs</u>	<u>Pools</u>	<u>Courses</u>
1	1		1	

**Business**

The employment and establishment data reported in the following table is for Seminole County.

It should be noted that this employment data excludes some types of employment, namely government and railroad employment.

<u>Sector</u>	<u># of Establishments</u>	<u># Employed</u>
Forestry, Fishing, Hunting & Ag Support		
Mining	42	294
Utilities	5	100-249
Construction	46	226
Manufacturing	28	1,510
Wholesale Trade	26	220
Retail Trade	94	900
Transportation & Warehousing	18	77
Information	8	45
Finance & Insurance	35	178
Real Estate & Rental & Leasing	19	68
Professional, Scientific, & Technical Services	30	98
Management of Companies & Enterprises		
Admin., Support, Waste Mgt., Remediation Services	9	62
Educational Services		
Health Care and Social Assistance	57	1,002
Arts, Entertainment & Recreation	5	20-99
Accommodation & Food Services	33	418
Other Services (except public admin.)	57	345
Auxiliaries	2	20-99
Total	519	5,664

Source: Oklahoma County Business Patterns 1999

**Major Employers**

<u>Major Employers</u>	<u>Product/Service</u>	<u>Number Employed</u>	<u>Union Name</u>
New Horizons Nursing Home	Health Services	139	
Konawa Public Schools	Education Services	87	
Sooner Scale Co.	Scales	4	
Streetman's IGA	Retail Grocery	19	
First National Bank	Financial Services	6	
Banc First	Financial Services	11	

Konawa is a Capital Improvements Planning city.

***Local Development Organization***

Konawa Industrial Foundation  
Dan Khoury  
Khoury's Lumber Co.  
Konawa, Oklahoma 74849  
Phone: 580-925-3765  
Fax:

**Information last received from community contact: November 1993 - Updated 12/17/01 Labor Force info -  
Information Management  
Prepared by Oklahoma Department of Commerce, Research Division**

\* Labor footnote - Labor surveys have been completed in many labor markets throughout Oklahoma. For more information or a copy of the survey for this region, if available, please call our office at 405-815-5262.

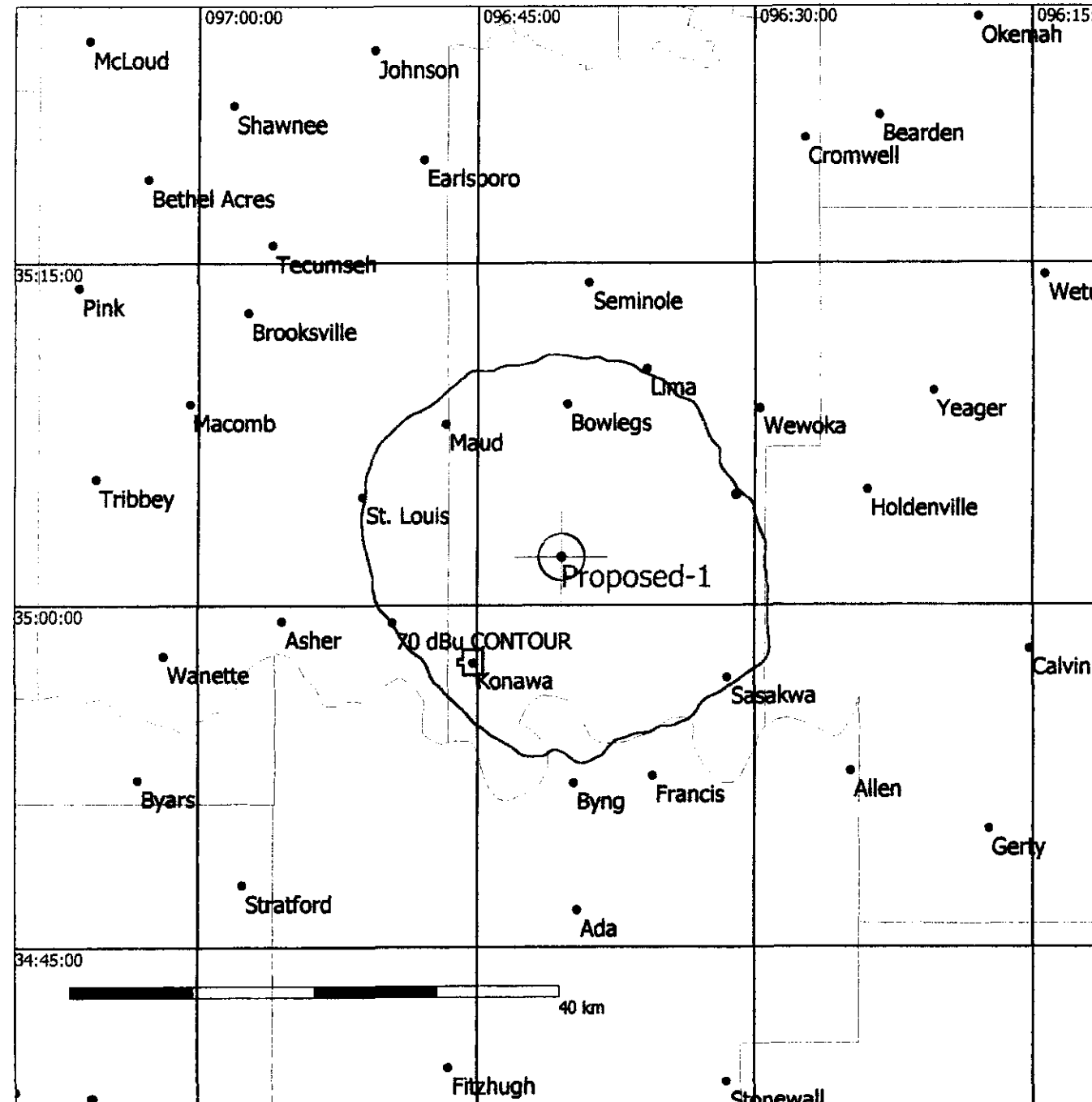




Austin Broadcasting, Inc.  
 Job: KONAWA OK.fmj  
 Master Database: 2002\_JUN\_12.fmd  
 Lat: N35:02:08 Lon: W096:40:28  
 Channel: 265 Class: A  
 Status: Licensed, Construction Permit, Application, Addition, Vacant/Reserved  
 Channels: Co-Channel, 1st Adj, 2nd Adj, 3rd Adj, IF, TV6  
 Range: 51 km  
 Comments: No Comments  
 Description:

Page 1 of 1  
 Date: 6/14/02 2:59:36 PM  
 rfInvestigator Version 1.3.4  
 by rfSoftware, Inc.

Callsign	City	Latitude (NAD27)	Longitude (NAD27)	Service	Channel	Adjacency	Class	Status	73 207 Min Separation	73 207 Clearance
	HOLDENVILLE	N35:04:53	W096:31:00	FM	265 : 100.9 Co-Chan	A	ADD	115		-99.77
	WYNNEWOOD	N34:38:23	W097:05:38	FM	266 : 101.1 1st Adj	A	ADD	72		-13.66
KWRD-FM	HIGHLAND VILLAGE	N33:33:37	W096:57:34	FM	264 : 100.7 1st Adj	C	LIC	165		0.74
KATT-FM	OKLAHOMA CITY	N35:35:22	W097:29:03	FM	263 : 100.5 2nd Adj	C	LIC	95		0.94
KWRD-FM	HIGHLAND VILLAGE	N33:32:08	W096:49:54	FM	264 : 100.7 1st Adj	C	CP MO	165		2.02
KXOJ-FM	SAPULPA	N36:03:38	W096:06:03	FM	265 : 100.9 Co-Chan	A	LIC	115		10.03
KMCO	MCALESTER	N34:59:13	W095:42:10	FM	267 : 101.3 2nd Adj	C1	LIC	75		13.82



## Contour Analysis

Date: 6/14/02 3:14:27 PM

Austin Broadcasting, Inc.

rfInvestigator Version 1.3.4

by rfSoftware, Inc.

Job: KONAWA OK.fmj

Master Database: 2002\_JUN\_12.fmd

Lat: N35:02:08 Lon: W096:40:28

Scale: 1:500000

Channel: 265 Class: A

Status: Licensed, Construction Permit,  
Application, Addition, Vacant/Reserve  
d

Channels: Co-Channel, 1st Adj, 2nd A  
dj, 3rd Adj, IF, TV6

Range: 30 km, Clearance: -0.5km

Comments: No Comments

Description:

Key:

Service  
Protected

1st Adj

2nd/3rd Adj